

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Southern Division

JOHN STEWART,

*

Plaintiff,

*

vs.

*

Civil Action No.: PWG-17-2683

LENDMARK FINANCIAL
SERVICES, LLC,

*

*

Defendant.

* * * * *

MOTION TO DISMISS COMPLAINT, AS AMENDED

Defendant Lendmark Financial Services, LLC (“Lendmark”), by and through its undersigned attorneys, hereby moves pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure to dismiss the Complaint, as amended, filed by Plaintiff John Stewart for failure to state a claim upon which relief can be granted. The grounds for this Motion are more fully set forth in the accompanying memorandum of law, which is incorporated by reference.

WHEREFORE, Defendant Lendmark Financial Services, LLC respectfully requests that the Complaint, as amended, be dismissed with prejudice. A proposed Order is attached for the Court’s consideration.

Respectfully submitted,

/s/

Brian L. Moffet (Fed. Bar No. 13821)
Zachary S. Schultz (Fed. Bar No. 03927)
Miles & Stockbridge P.C.
100 Light Street
Baltimore, MD 21202
Tel: (410) 385-3656
Email: bmoffet@milesstockbridge.com
zschultz@milesstockbridge.com

*Attorneys for Defendant
Lendmark Financial Services, LLC*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of October, 2017, copies of the foregoing Motion to Dismiss, accompanying memorandum of law, and proposed Order, were mailed via first-class mail, postage prepaid, to:

John K. Stewart
9554 Randall Drive
White Plains, Maryland 20695
Plaintiff

/s/
Brian L. Moffet